

June 20, 2001

The Honorable Christine Todd Whitman
 Administrator
 U.S. Environmental Protection Agency
 Ariel Rios Building
 Room 3000, 1101-A
 1200 Pennsylvania Ave., N.W.
 Washington, DC 20460

Subject: Comments on Spent Pulping Liquor

Dear Administrator Whitman:

The following comments on the spent pulping liquor test plan are submitted on behalf of the Physicians Committee for Responsible Medicine, People for the Ethical Treatment of Animals, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These health, animal protection, and environmental organizations have a combined membership of more than nine million Americans.

The American Forest and Paper Association (AF&PA) has made a laudable attempt at developing a thoughtful test plan that integrates available information and the animal welfare principles of the High Production Volume (HPV) program. However, it is clear that any additional testing on the liquor would not be useful or relevant. Spent pulping liquor is a highly alkaline, corrosive mixture that causes immediate tissue damage upon contact. Human or ecological exposures to these substances are highly unlikely, as the material remains on the manufacturing site and has limited commercial use. Experiments on animals will not enhance the understanding of these chemicals or change the way they are handled and regulated. Although the AF&PA acknowledges that testing these chemicals would cause pain and suffering in the animals and neutralizing these chemicals for analysis would render the results irrelevant, it nevertheless proposes a number of tests with the neutralized spent pulping liquor, including one on animals.

We applaud the AF&PA's efforts not to conduct cruel mammalian tests with caustic substances. The test plan cites OECD documents that clearly demonstrate that any testing on animals would cause pain and suffering and need not be carried out. However, we note with concern that additional aquatic toxicity testing of these substances is being proposed.

Any tests with the neutralized spent pulping liquor are completely unnecessary and will only produce meaningless, uninterpretable results. The primary characteristic of spent pulping liquor is its high pH and sulfide content. As has been well described in the test plan, the fundamental toxicity of this complex mixture is due to its caustic properties. These properties allow the liquor to hydrolyze living tissue—

consistent with its primary purpose to hydrolyze plant tissue in industrial processes. Upon neutralization, its fundamental toxic property is lost, and the hydrolyzed wood products dissolved in the matrix will precipitate out, as they are only soluble at the high pH. The neutralized solutions will still contain high levels of sulfide, which is known to be acutely toxic to aquatic organisms. Eventually, this sulfide solution will be oxidized to relatively non-toxic sulfur and sulfate, for which abundant existing data are already available.

Therefore, we recommend that no further testing be conducted since neutralized materials will not be representative of the spent liquors and the test results will provide no insight into the toxicity of these liquors, as most of the organic compounds in the liquors will precipitate out.

Furthermore, aquatic testing with neutralized substances represents a violation of the EPA's October 14, 1999, guidance letter on animal welfare, which states: "Individual chemicals (i.e., those HPV chemicals not proposed for testing in a category) that require further testing on animals shall be deferred until November 2001."

One of the major flaws of the HPV program, repeatedly pointed out in previous test plan comments, is the exclusion of exposure and use information. The low likelihood of exposure and limited commercial use demonstrate that this mixture is a low priority for further toxicity tests.

Lastly, we note the AF&PA's comment that essentially acknowledges these problems and indicates that testing is being conducted simply to be a "team player":

"It will be necessary to neutralize the test material in order to bring it to a pH that is compatible with survival of the test organisms in order to perform the testing. This will affect the composition of the material and the results therefore may not represent the original substance. However, AF&PA will undertake the testing in the spirit of the HPV program."

The AF&PA has quite correctly summed up and identified the spirit of the HPV program: conducting irrelevant animal tests for no purpose other than to file away results.

Thank you for the opportunity to comment, and I look forward to your response. I can be reached via telephone at 202-686-2210, ext. 302, or via e-mail at <ncardello@pcrm.org>. Correspondence should be sent to my attention at the following address: PCRM, 5100 Wisconsin Ave., Suite 400, Washington, DC 20016.

Sincerely,

Nicole Cardello, M.H.S.
Staff Scientist